

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ISMAEL MOUBAB,

Plaintiff,

v.

JP MORGAN CHASE BANK,

Defendant.

Case No. 1:23-cv-01055-JLT-EPG

ORDER TRANSFERRING CASE TO THE
SACRAMENTO DIVISION OF THE
EASTERN DISTRICT OF CALIFORNIA

On July 14, 2023, Plaintiff, proceeding *pro se*, filed this action and an application to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915. (ECF Nos. 1, 2). As it appears that this action should have been filed in the Sacramento Division of the United States District Court for the Eastern District of California, the Court will transfer the case to the Sacramento Division.

Pursuant to Local Rule 120(d), “[a]ll civil and criminal actions and proceedings of every nature and kind cognizable in the United States District Court for the Eastern District of California arising in . . . Sacramento . . . shall be commenced in the United States District Court sitting Sacramento, California. . . .”

In the complaint, Plaintiff generally alleges that Defendant violated Federal law by failing to take appropriate action in addressing fraudulent charges to his bank account. Nowhere in the complaint does Plaintiff identify facts showing that this case arises in the Fresno Division. Rather, Plaintiff states that he resides in Rancho Cordova, California, which is located in Sacramento County, and presumably the location for his disputes with Defendant about the charges to his

1 bank account. (ECF No. 1, p. 1). Sacramento County is part of the Sacramento Division of the
2 United States District Court for the Eastern District of California. Therefore, based on the
3 information available, the complaint should have been filed in the Sacramento Division.¹

4 Pursuant to Local Rule 120(f), a civil action which has not been commenced in the proper
5 court may, on the Court's own motion, be transferred to the proper court. Therefore, this action
6 will be transferred to the Sacramento Division. This Court will not rule on Plaintiff's request to
7 proceed *in forma pauperis*.

8 Good cause appearing, IT IS ORDERED that:

9 1. This action is transferred to the United States District Court for the Eastern District of
10 California sitting in Sacramento; and

11 2. All future filings shall refer to the new Sacramento case number assigned and shall be
12 filed at:

13 United States District Court
14 Eastern District of California
501 "I" Street, Suite 4-200
Sacramento, CA 95814

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16 IT IS SO ORDERED.

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18 Dated: July 18, 2023

19 /s/ Eric P. Gray
20 UNITED STATES MAGISTRATE JUDGE

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28 ¹ If it later appears that the Fresno Division is the proper Division for this case, Plaintiff may move to transfer the case back to this Division.